UNITED STATES DISTRICT COURT EASTERN DISTRICT OF ARKANSAS WESTERN DIVISION

SHEILA HELMERT, WILMA BROWN AND, LORI WEST, on behalf of themselves and others similarly situated,

Plaintiffs and Proposed Collective and, Class Action Representatives,

v.

BUTTERBALL, LLC,

Defendant.

Civil No. 4:08-CV-0342 JLH

<u>DEFENDANT BUTTERBALL, LLC'S MOTION FOR SUMMARY JUDGMENT DISMISSING ALL CLAIMS FOR TIME IN EXCESS OF "REASONABLE TIME"</u>

Defendant Butterball, LLC ("Butterball" or "Defendant"), pursuant to Federal Rule of Civil Procedure 56 and Local Rules 7.2 and 56.1 for the United States District Court, Eastern District of Arkansas, respectfully moves this Court for summary judgment on all claims for time in excess of "reasonable time." As more fully explained in the Brief in Support of this Motion, Plaintiffs are only entitled to be paid a reasonable, fixed amount of time for donning, doffing and related activities.

Respectfully submitted this 28th day of February.

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CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2011, I electronically filed the foregoing with the Clerk of the Court using ECF which will send notification of such filing to the following:

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